

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 349 be amended to read as follows:

- 1 Page 17, after line 21, begin a new paragraph and insert:
- 2 "SECTION 3. [EFFECTIVE JULY 1, 2006] (a) **The definitions in**
- 3 **IC 27-1-29.1 apply throughout this SECTION.**
- 4 **(b) This SECTION applies to a member that:**
- 5 **(1) has been a member of the fund for at least ten (10) years;**
- 6 **and**
- 7 **(2) provided a withdrawal notice in 2005 for the 2006 calendar**
- 8 **year insured period.**
- 9 **(c) A member described in subsection (b) may:**
- 10 **(1) withdraw from the fund with proper notice; and**
- 11 **(2) elect to receive a rebate of the member's prior assessments**
- 12 **from the reserve account established under IC 27-1-29.1-8 to**
- 13 **establish a self-insured retainage account.**
- 14 **(d) The commission shall pay a rebate described in subsection**
- 15 **(c) to a member making an election under subsection (c) at any**
- 16 **time the reserve account exceeds the five million dollar (\$5,000,000)**
- 17 **balance required under IC 27-1-29.1-8(a).**
- 18 **(e) Notwithstanding IC 27-1-29.1-21, after a member described**
- 19 **in this SECTION withdraws from the fund and receives a rebate**
- 20 **under this SECTION:**
- 21 **(1) the member is released from all liability to the fund related**
- 22 **to claims based on acts or omissions that took place while the**
- 23 **member was a member of the fund; and**
- 24 **(2) the fund is released from all liability related to claims**
- 25 **based on acts or omissions of the member that took place**

- 1       **while the member was a member of the fund.**
- 2       **(f) This SECTION expires December 31, 2008."**  
(Reference is to ESB 349 as printed February 17, 2006.)

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Representative Ayres